

**UNITED STATES DISTRICT COURT
DISTRICT OF MARYLAND**

IN RE MUTUAL FUNDS INVESTMENT
LITIGATION

This Document Relates To
RS Funds Sub-Track

MDL No. 1586
Case No. 04-md-15863
(The Honorable J. Frederick Motz)

RS Case No. 04-cv-3798-JFM

RS DEFENDANTS' MOTION TO FILE UNDER SEAL: (1) MEMORANDUM IN SUPPORT OF RS ADVISERS' MOTION FOR SUMMARY JUDGMENT; (2) MEMORANDUM IN SUPPORT OF RS INDIVIDUALS' MOTION FOR SUMMARY JUDGMENT; (3) MEMORANDUM IN SUPPORT OF RS DEFENDANTS' MOTION TO EXCLUDE TESTIMONY OF MARC VELLRATH; (4) DECLARATION OF RICHARD GALLAGHER IN SUPPORT OF MOTIONS; (5) DECLARATION OF PROFESSOR ALLEN FARRELL IN SUPPORT OF MOTIONS; AND (6) DECLARATION OF DANIEL M. GARRETT IN SUPPORT OF MOTIONS

PLEASE TAKE NOTICE THAT, pursuant to L. R. 105.11, defendants RS Investment Management, L.P., RS Investment Management, Inc., RS Investment Management Co., LLC, George Randall Hecht, Steven M. Cohen, James L. Callinan, Peter Keith, and Michael G. McCaffery (collectively, the "RS Defendants") move the Court for an Order to file under seal: (1) the Memorandum in Support of RS Advisers' Motion for Summary Judgment; (2) the Memorandum in Support of RS Individuals' Motion for Summary Judgment; (3) the Memorandum in Support of RS Defendants' Motion to Exclude Testimony of Marc Vellrath; (4) the Declaration of Richard Gallagher in Support of the above three listed motions; (5) the Declaration of Professor Allen Farrell in Support of the above three listed motions; and (6) the Declaration of Daniel M. Garrett in Support of the above three listed motions. Such filing under seal is necessitated by the Omnibus Order Regarding Confidentiality of Discovery Material in this case.

Dated: July 2, 2008

Respectfully submitted,

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